

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**JAMES L. SHUMAKER,**

**Defendant.**

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**8:05CR283**

**ORDER**

This matter is before the court on defendant's unopposed MOTION FOR EXTENSION OF TIME TO FILE PRETRIAL MOTIONS [12]. For good cause shown, I find that the motion should be granted. The defendant will be given the requested approximate 15-day extension. Pretrial Motions shall be filed by October 11, 2005.

**IT IS ORDERED:**

1. Defendant's UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE PRETRIAL MOTIONS [12] is granted. Pretrial motions shall be filed on or before **October 11, 2005**. Defendant is ordered to file a waiver of speedy trial as soon as practicable.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between September 23, 2005 and October 11, 2005**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

**DATED this 23<sup>rd</sup> day of September, 2005.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**